



Michigan Bankers Association

To: Senator Wayne Kuipers, Chair
From: Debbie Mitin, Director of Trust Services
Date: March 24, 2009
Subject: Senate Bills 383-387

Thank you for the opportunity to comment on SB 383-367. Michigan Bankers Association (MBA) represents 182 banks and 45 trust departments support Senate Bills 383-387 which are on the agenda in the Senate Judiciary Committee today, March 24, 2009. The Trust Division of the MBA, through its Trust Counsel Committee has studied and done a rigorous and thorough analysis of the Uniform Trust Code for the past six years. Once our initial review was completed, we then worked closely with the Probate Section of the State Bar, Probate Judges and Attorney General's office to produce the Michigan Trust Code. This legislation fills gaps which will help trustees in administering trusts that are not as well drafted as others and therefore leave questions unanswered. Doing so will reduce trips to court for guidance and direction, conserve trust property that would be consumed on expenses for these proceedings, and conserve court resources for more important things. It is also helpful to banks and their trust officers to have a body of law similar to the laws in 21 other jurisdictions, which will make it easier when faced with administering trusts established and governed by the laws in those states. Also it will be helpful to the trustee to have a single source of law instead of a collection of limited statutes and cases and lots of gaps. Even though the MBA represents the corporate trustees in the state of Michigan, we feel this legislation will also be beneficial to the individual trustees for the reasons stated above.